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30 CFR Ch. VII (7–1–06 Edition)

collect baseline surface water data on acidity;

(4) Deletion of the locational data requirements for monitoring stations at Chapter II, section 3(a)(vi)(M);

(5) [Reserved]

(6) Replacement of the word “is” with the phrase “the vegetative cover and total ground cover are” in Chapter IV, section 2(d)(vi);

(7) Addition of the phrase “or an alternative success standard approved by the Administrator” to Chapter IV, section 2(d)(vi);

(8)–(9) [Reserved]

(10) All revisions to Chapter IV, section 3(a)(ix) concerning cut-and-fill terraces;

(11) Addition of section 1(a)(ii)(C), section 2(c), and section 3 to Chapter IX, which would have provided a general variance from the approximate original requirements; and

(12) All revisions to Chapter XVII, which would have introduced a new enforcement scheme.

(b) The following provision of the Rules and Regulations of the Land

Quality Division of the Wyoming Department of Environmental Quality, as submitted on December 13, 1985, is hereby disapproved: Addition of section 1(b)(iii) to Chapter XII which would have allowed personal property other than allowed by 30 CFR 800.5 (cash accounts, negotiable bonds, certificates of deposit, and letters of credit) to be posted as collateral bond.

[51 FR 42218, Nov. 24, 1986, as amended at 52 FR 16847, May 6, 1987; 57 FR 48991, Oct. 29, 1992; 59 FR 14753, Mar. 30, 1994; 68 FR 62523, Nov. 5, 2003]

§ 950.15 Approval of Wyoming regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of final publication	Citation/description
March 26, 1981, April 8, 1981.	February 18, 1982 ..	LQD Rules, Ch I, § 2(14) defining “complete application;” Ch II, §§ 1.c., 2.a.(1)(f)(ii), 3.a(6)(b)(iii), (d)(ii); Ch IV, §§ 2.c.(2)(a), 2.d.(6), 3.p.(1)(a); sworn applicant statement regarding reclamation fees payment.
May 26, 1982	September 27, 1982	LQD Rules, Ch I, § 2(99).
March 3, 8 and 21, 1983.	November 9, 1983 ..	W.S. 35–11–103(e) (xxii), (xxiii) defining “complete application,” “deficiency” in permit applications, “interim mine stabilization;” W.S. 35–11–401(n), 406(h); LQD Rules, Ch I, § 2; Ch XIII, § 2; Ch XVI, §§ 1 through 6.
June 25, 1984	February 28, 1985 ..	LQD Rules, Ch IV, §§ 1, 2; Ch XII, §§ 1 through 7; Ch XVII, §§ 1 through 3.
September 21, 1984	December 3, 1985 ..	LQD Rules, Ch I, § 2; Ch XIII.
October 12, 1984	December 13, 1985	LQD Rules, Ch VI, § 6.
June 19, 1985	January 2, 1986	LQD Rules, Ch X, and accompanying Appendix A.
June 10, 1985	March 31, 1986	LQD Rules, Ch II, § 3; Ch III, § 2; Ch V, §§ 1, 6, 7; Ch VI, §§ 2 through 5; Ch VII, §§ 1 through 4; Ch XI, §§ 1 through 4, 6; Ch XVI, §§ 1 through 5; Ch XVIII, §§ 1 through 5.
May 1, 1986	November 24, 1986	LQD Rules, Chs I, II, III, IV, IX, XII, XIV, XXIII; Appendix A, “Vegetation Sampling Methods and Reclamation Success Standards for Surface Coal Mining Operations”.
December 13, 1985 ..	May 6, 1987	LQD Rules, Ch XII, “Self-Bonding Program”.
March 31, 1989	July 25, 1990	LQD Rules, Ch I, § 2; Ch II, §§ 2, 3; Ch IV, §§ 2, 3; Ch V, §§ 2, 6, 7; Ch VI, §§ 3, 4; Ch VII, §§ 1, 4; Ch IX, §§ 1, 2, 3; Ch XI, §§ 1, 3; Ch XII, §§ 1 through 4, 6; Ch XIII, § 1; Ch XIV, §§ 1, 2; Ch XVI, §§ 1, 3, 4; Ch XVII, §§ 1, 2; Ch XVIII, §§ 1, 3.
May 1, 1986	January 29, 1991 ...	LQD Rules, Ch IV, §§ 3(h)(iii)(A), (B); Ch VI, § 3(c)(ii)(C)(I).
March 21, 1991	July 8, 1992	W.S. Article 1, subsection 35–11–103(e) (xxvi), (xxvii); Article 4, subsection 35–11–402(b).
June 24, 1991	October 29, 1992 ...	W.S. 35–11–103(d)(ii)(D); LQD Rules, Ch I, § 2(br), (ba), 3(b)(i); Ch II, §§ 3(a)(vi)(E), (M), (b)(xvi)(D), (xx), (v)(C); Ch IV, §§ 3(d)(vii), (e)(i)(H); Ch XI, § 2(b)(iv); Ch XII, § 1(a); Ch XIII, § 1(a)(v)(A); Ch XXI, § 3(b)(vii), (x).
March 19, 1993	August 23, 1993	W.S. 35–11–406(h), (j).
July 8, 1992	October 7, 1993	LQD Rules, Ch II, § 3(b)(iv)(B); Ch IV, § 3(o)(iv); Appendix B, “Wildlife Monitoring Requirements for Surface Coal Mining Operations”.
July 24, 1992	November 2, 1993 ..	LQD Rules, Ch I, § 2(e); Ch II, § 3(a)(i)(D); Ch XIV, §§ 2(b)(i), 6(a).
August 18, 1982, March 9, 1993.	January 24, 1994 ...	W.S. 35–11–437(f); LQD Rules, Ch I, § 2(cv) defining “toxic materials;” Ch II, § 7; Ch V pertaining to the award of costs and expenses in administrative proceedings; Ch VI pertaining to informal review by the Director.

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Original amendment submission date	Date of final publication	Citation/description
December 15, 1992, August 6, 1993.	March 30, 1994	LQD Rules, Chs I through XX, Appendices A, B.
May 1, 1986	June 30, 1994	LQD Rules, Ch IV, § 2(b)(i).
April 13, 1994	October 21, 1994 ...	W.S. 35–11–437(f), (g).
November 8, 1994	March 17, 1995	Appendix B, §§ C, E.
June 2, 1995	September 14, 1995	W.S. 35–11–406(j).
April 21, 1995	February 21, 1996 ..	W.S. 35–11–1206(a), (b), –1209(a), (b).
November 29, 1995 ..	August 6, 1996	W.S. 35–11–103(e)(xxviii), (xxix), (xxx); 35–11–402(b), (c); Ch I, § 2(ac), (ax), (bc)(iii), (viii), (xi), (v), (w); Ch. II, § 2(a)(vi)(G)(II), (b)(iv)(C); Ch IV, § 2(d)(x)(E)(I), (II), (III), appendix A; Ch X, § 4(e); Ch XI, § 5(a); Ch. XIII, § 1(a).
April 18, 1996	August 27, 1996	W.S. 35–11–426(a), (b); 35–11–431(a)(vi).
July 13, 1998	October 1, 1999	Chapter 1, Section 2(ac); Chapter 1, Section 2(v); Chapter 2, Section 1(e); Chapter 2, Section 2(a)(vi)(G)(II); Chapter 2, Section 2(a)(vi)(H); Chapter 2, Section 2(a)(vi)(J); Chapter 2, Section 2(a)(vi)(J)(II); Chapter 2, Section 2(b)(iv)(C); Chapter 2, Section 2(b)(vi)(C); Chapter 4, Section 2(c)(ix); Chapter 4, Section 2(d)(x)(E)(I); Chapter 4, Section e(d)(x)(E)(III); Chapter 8, Sections 3–4–5; Chapter 12, Section 1(a)(iv)(B); Chapter 12, Section 1(a)(v)(C); Chapter 12, Section 1(b)(ii); Chapter 16, Sections 3 (c) and (f); Appendix A, Appendix IV; Appendix A, Options I–IV; Appendix A, Section II.C.2.c; Appendix A, Section II.C.3; Appendix A, Section VIII.E.
July 20, 2001	November 6, 2002 ..	Ch. 2, Sec. 2(a)(vi)(L)(III); Ch. 2, Sec. 2(a)(vi)(L)(iv); Ch. 2, Sec. 2(a)(vi)(M)(III); Ch. 2, Sec. 2(a)(vi)(M)(III)(4); Ch. 2, Sec. 2(a)(vi)(O); Ch. 2, Sec. 2(b)(xi)(D)(I)(1); Ch. 2, Sec. 2(b)(xi)(D)(I)(2); Ch. 2, Sec. 2(b)(xi)(D)(I)(3); Ch. 2, Sec. 2(b)(xi)(D)(II)(1 and 2); Ch. 2, Sec. 2(b)(xii); Ch. 3, Sec. 2(c)(viii)(D)–(G); Ch. 4, Sec. 2(c)(xii)(D)(iv); Ch. 4, Sec. 2(i)(i); Ch. 4, Sec. 2(w); Appendix A, Appendix IV; 30 CFR 950.12(a)(4); 30 CFR 950.16(ii)(2); 30 CFR 950.16(ji).
April 30, 2002	May 8, 2003	Chapter 1, Section 2(by). Chapter 4, Section 2(b)(iv). Chapter 11, Sections 1(a), 2(a), 3(b), 3(c), 4(a). Chapter 12, Section 1(b), Section 2(d)(iii). Chapter 13, Section 1(a), (b), (c), (d)(iv)(D). Chapter 15, Section 7.
November 28, 2002 ..	November 5, 2003 ..	Chap. 1, Section 2, 2(a), 2(b) Chap. 1, Section 2(ah) Chap. 1, Section 2(bu) Chap. 1, Section 2(bz) Chap. 2, Section 2(a) and (b) Chap. 2, Section 2(a)(v), 2(a)(v)(I)(1), 2(b)(iii) and 2(b)(xxi) Chap. 2, Section 2(b)(i)(D)(V) Chap. 2, Section 2(b)(iv)(G) Chap. 2, Section 2(b)(xix) Chap. 4, Section 2(c)(i)(A) Chap. 4, Section 2(c)(xi)(F) Chap. 4, Section 2(c)(xi)(G) Chap. 4, Section 2(j) Chap. 4, Section 2(j)(i)(A) Chap. 4, Section 2(j)(ii) Chap. 4, Section 2(j)(iii) Chap. 4, Section 2(j)(iii)(B) Chap. 4, Section 2(j)(iii)(C)(I) Chap. 4, Section 2(j)(iii)(C)(II) Chap. 4, Section 2(j)(iii)(C)(III) Chap. 4, Section 2(j)(iii)(C)(v) Chap. 4, Section 2(j)(iii)(D) Chap. 4, Section 2(j)(iv) Chap. 4, Section 2(j)(v) Chap. 4, Section 2(j)(vi) Chap. 4, Section 2(j)(vii) Chap. 4, Section 2(j)(viii) Chap. 4, Section 2(m) Chap. 4, Section 2(n)(ii)(B)(2) Chap. 4, Section 2(x) Chap. 5, Section 7(a)(ii) Chap. 12, Section 1(a)(v) Chap. 18, Section 3(c)(xvii), Section 3(d)(vi)(A), Section 3(d)(x) Appendix A, Appendix IV
May 21, 2004	April 4, 2005	Coal Rules: Chapter 1, sections 2(l) and (ce); chapter 4, sections 2(b)(iv)(A), (b)(ix), (b)(ix)(A), (B), and (C); Chapter 10, sections 1, 1(b)(iii), 2(b), (b)(i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), and (xii), 3(b), 4(e), 8, 8(a), 8(b), (b)(i), (ii), (ii)(A), (ii)(B), (ii)(C), (iii), and (iv).

[62 FR 9958, Mar. 5, 1997, as amended at 64 FR 53208, Oct. 1, 1999; 67 FR 67547, Nov. 6, 2002; 68 FR 24652, May 8, 2003; 68 FR 62523, Nov. 5, 2003; 70 FR 16954, Apr. 4, 2005]

§ 950.16 Required program amendments.

Pursuant to 30 CFR 732.17 Wyoming is required to submit for OSMRE's approval the following proposed program amendments by the dates specified.

(a)–(c) [Reserved]

(d) By September 24, 1990, Wyoming shall submit a revision to its permanent program rules at chapter IV, section 3(i) or otherwise propose to amend its program to require a quarterly ground water monitoring for surface and underground coal mining operations.

(e) By September 24, 1990, Wyoming shall submit a revision to its permanent program rules at chapter IV, section 3(u) or otherwise propose to amend its program to give the State the authority to require additional preventive, remedial, or monitoring measures to assure that material damage to the hydrologic balance outside the permit area is prevented with regard to both surface and underground coal mining operations.

(f) By June 30, 1987, Wyoming shall submit rules requiring the name, address, and telephone number of the operator if different from the applicant, or otherwise propose to amend its program in a manner no less effective than 30 CFR 778.13(b).

(g) [Reserved]

(h) By June 30, 1987, Wyoming shall submit revisions of the LQD rules at Chapter II section 3(a)(vi)(J)(II) or otherwise propose to amend its program to provide that the groundwater quality description in a permit application must include pH.

(i) By June 30, 1987, Wyoming shall submit revisions to the LQD rules at Chapter II section 3(b)(ix)(D) or otherwise propose to amend its program to specify the minimum groundwater quality parameters that must be monitored.

(j)–(k) [Reserved]

(l) By June 30, 1987, Wyoming shall submit revisions to Appendix A of the LQD rules or otherwise propose to amend its program to specify the sampling techniques which operators will

be allowed to use to evaluate the parameters of ground cover, production and stocking.

(m) By June 30, 1987, Wyoming shall submit revisions to Part VIII.D of Appendix A of the LQD rules or otherwise propose to amend its program to clarify that operators must meet cropland success standards during at least the last two consecutive crop years of the responsibility period.

(n)–(o) [Reserved]

(p) By September 8, 1992, Wyoming shall submit a proposed revision to chapter II, section 3(b)(iv)(A) of the Rules and Regulations of the Land Quality Division of the Department of Environmental Quality, or otherwise propose to amend its program, to specify that, when fish and wildlife enhancement measures are not included in a proposed permit application, the applicant must provide a statement explaining why such measures are not practicable. In addition, this rule must be revised to clarify that fish and wildlife enhancement measures are not limited to revegetation efforts.

(q) [Reserved]

(r) By December 28, 1992, Wyoming shall submit revisions to the LQD Rule at Chapter II, Section 3(a)(v)(A)(II), to either reinstate the removed cited reference “disposal of non-coal wastes shall be in accordance with the standards set out in Section 11, paragraph c., Solid Waste Management Rules and Regulations (1980)” or otherwise amend its program to render it no less effective than the Federal regulations at 30 CFR 816.89 and 817.89.

(s) By December 28, 1992, Wyoming shall submit revisions to the LQD Rules at Chapter II, Section 3(b)(xxii) and Chapter IV, Section 3(c)(iii)(D), to include specific performance standards for non-coal waste disposal that are no less effective than the Federal regulations at 30 CFR 816.89 and 817.89.

(t) By December 28, 1992, Wyoming shall submit revisions to the LQD Rules at Chapter II, Section 2(b)(iii)(I); Chapter II, Section 3(b)(xxi); Chapter IV, Section 2(c)(v); and Chapter IV, Section 3(c)(iii)(C), to provide standards for non-coal waste disposal that